

SELECT COMMITTEE ON LEGISLATIVE ETHICS
Alaska State Legislature

THE ADVISOR

September 2007

Committee Members: Chair Dennis “Skip” Cook, Senator Gary Stevens, Senator Con Bunde, Representative Bob Roses, Representative Berta Gardner, H. Conner Thomas, Ann Rabinowitz, Gary J. Turner and Herman G. Walker Jr.

Alternate Legislative Members: Senator Hollis French, Senator Gary Wilken, Representative Carl Gatto and Representative Lindsey Holmes.

Staff: Joyce Anderson, Administrator; and Donna Grenier, committee staff.

QUOTE OF THE MONTH: “To inspire public trust and integrity we cannot rely alone on formal laws, code and institutional reforms – that is, institutional integrity... We need also to reinvok e personal integrity, trust, and other ethical values.”

Rosamund Margaret Thomas, “Public Trust, Integrity, and Privatization,” [Public Integrity](#), Summer 2001.

2007 STANDARDS OF CONDUCT HANDBOOK

A new 2007 Standards of Conduct Handbook was delivered to each legislative office and all other offices in August. If you did not receive one, please call the Ethics Office at 269-8179.

Please make the following changes to your Handbook:

- Appendix A (yellow section), page A-8, delete AS 24.60.037(d) Appendix A (yellow section), page A-16, delete AS 24.60.080(k)
- Appendix A (yellow section), page A-24, delete AS 24.60.150(b)(3) and (4)

ETHICS TRAINING

For those of you who were unable to attend the August 14 ethics training session, another one is planned for Tuesday, October 2. You may attend either the 9:00 a.m. to 10:30 a.m. session or the 2:00 p.m. to 3:30 p.m. session. You do not need to preregister.

Bring your 2007 Standards of Conduct Handbook with you to the session. If you have any questions that you feel should be addressed, please contact the Ethics Office prior to the session at 269-0150.

The August 14th sessions were well attended and very lively. Many questions were asked.

***** DISCLOSURES *****

AS 24.60.105 and AS 24.60.115

The requirement to file a disclosure applies to legislators, staff to legislators, LAA staff, other legislative staff, employees of the Office of the Ombudsman, Office of Victims' Rights and Ethics Committee members.

Remember, all disclosures are now due within 30 days of the association, matter or receipt of the certain gifts.

Additionally, Final Day of Service disclosures are due within 90 days after final day of service. LAA Personnel will include a letter with your final paycheck as a reminder explaining disclosure requirements.

Ethics disclosure forms are available on the ethics web site which can be accessed through the Legislature's home page or at <http://ethics.legis.state.ak.us>. Please discard all old forms.

ADVISORY OPINION REQUESTS

Two advisory opinion requests will be considered by the Ethics Committee on Friday, September 28 at their committee meeting. The opinions will be included in the October newsletter.

- Representative Mike Doogan has requested an opinion regarding the use of legislative letterhead for character reference letters, letters of recommendation, letters of congratulation, condolences or any similar forms of non-campaign communication.
- The Ethics Committee has requested an opinion regarding gifts from registered lobbyists. Specifically:
 - gifts from immediate family members who are registered lobbyists
 - a gift of hospitality at the residence of a lobbyist which includes food and beverage for immediate consumption
 - a gift of a service such as incidental transportation from a lobbyist
 - travel arrangements made by a lobbyist for a gift of travel from the employer of the lobbyist for a legislative fact-finding purpose

FREQUENTLY ASKED QUESTIONS

Many questions have been asked regarding the new gift requirements. We hope the following examples will be helpful.

May a legislative employee who has had a serious accident accept gifts of donated leave-time in excess of \$250 per person?

Yes. Medical leave is separately referenced in statute, AS 39.20.245(b). This type of leave can only be used for medical/health reasons and the donor's name is kept confidential. The leave cannot be used for non-medical purposes nor can it be turned in for money. Donated medical leave does not fall within the definition of a gift in the ethics code and is therefore not subject to the \$250 cap or disclosure requirements.

May a legislator or legislative employee accept a gift of a fishing trip from a lobbyist?

No, a gift of a fishing trip from a lobbyist is prohibited regardless of the value. Gifts of this nature from lobbyists are not allowed. A legislator, or legislative employee may only solicit, accept and receive from a lobbyist a gift of food and beverage for immediate consumption, a ticket to a pre-approved charity event or a compassionate gift pre-approved by Legislative Council and the Ethics Committee chair.

A legislator or legislative employee is not prohibited from going fishing with a lobbyist. However, they must pay their own way; i.e., their share of the cost of

gas, bait, etc. Food and beverage for immediate consumption is not considered a gift and may be accepted.

May a legislator or legislative employee accept a gift of a round of golf from the spouse of a lobbyist?

No, a gift of a round of golf from a lobbyist's spouse is prohibited, regardless of the value. Legislators and legislative employees are not prohibited from golfing with a lobbyist or a lobbyist's spouse as long as they pay their own golfing fees and any other costs associated with golfing. Food and beverage for immediate consumption is not considered a gift and may be accepted.

May the spouse of a legislator or legislative employee accept a gift of a ticket to the Perseverance Theatre in Juneau from a lobbyist?

No, the spouse (or domestic partner) of a legislator or legislative employee is prohibited from accepting a gift of a ticket from a lobbyist to an event that is not pre-approved by the Legislative Council as a 501(c)(3) charity event, regardless of the value. The prohibition also extends to a parent, child or sibling if they reside with the legislator or legislative employee, are financially dependent or if they share a substantial financial interest such as a house or car loan for example.

May a legislator or legislative employee accept an invitation to dinner at a local restaurant from a lobbyist?

Yes, food and beverage for immediate consumption is an allowed gift. If the cost of the food and beverage exceeds \$15, the lobbyist must report the cost of the food and beverage to the Alaska Public Offices Commission. There is no reporting requirement for legislators or legislative employees.

Ethics Committee Office
716 West 4th Avenue, Suite 230, Anchorage AK 99501
Mail: P.O. Box 101468, Anchorage AK 99510-1468
Phone: 269-0150 Fax: 269-0152
Pouch: Ethics/Anch LIO
www.legis.state.ak.us (click on Ethics)
<http://ethics.legis.state.ak.us>
Email: ethics_committee@legis.state.ak.us